

Message Text

CONFIDENTIAL

PAGE 01 BANGKO 13532 121212Z

55

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 /056 W

----- 080091

R 120928Z MAY 76

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC 6227

C O N F I D E N T I A L BANGKOK 13532

E.O. 11652: GDS

TAGS: TH, PGOV, PINT

SUBJECT: GOVERNMENT REACTIONS TO RECENT ARRESTS OF ACTIVISTS

REF: A. BANGKOK 7270 B. BANGKOK 8237

SUMMARY: ARRESTS OF ACTIVISTS ON ANTI-COMMUNIST CHARGES ARE DRAWING CRITICISM FROM GOVERNMENT LEADERS, AND ARE RECEIVING MORE ATTENTION FROM THE PRESS. AT ISSUE IS CONFLICT BETWEEN CONSTITUTIONAL REIGHTS AND CONTRADICTORY RESTRICTIONS OF THOSE REIGHTS BY THE ANTI-COMMNUNIST LAWS. END SUMMARY.

1. RECENT, LIMITED ARRESTS OF STUDENT AND LABOR ACTIVISTS HAVE BEGUN TO DRAW WIDER CRITICISM FROM THE PRESS AND POLITICAL FIGURES. FOLLOWING THE ARRESTS OF SEVERAL ACTIVISTS ON MARCH 30 ON COMMUNIST CHARGES (REFTEL), REACTION FROM THE LEFT WAS SURPRISINGLY MILD, AND THE PRESS GENERALLY HAILED THE MOVES AS A SIGN OF GOVERNMENT WILLINGNESS TO CRACK DOWN ON ALL SORTS OF ILLEGAL ACTIVITIES. THAT ATTITUDE HAS BEEN CHANGING. RECENT NEWSPAPER EDITORIAL COMMENT ON THE ISSUE SEEMS TO BE INCREASING AND MUCH OF IT IS CRITICAL OF THE POLICE.

2. ON MAY 10, UTHAI PHIMCHAICHON, SPEAKER OF THE HOUSE AND ONE OF THE LEADING FIGURES IN THE DEMOCRAT PARTY, CRITICIZED WHAT HE TERMED THE WILLINGNESS OF POLICE TO ARREST ACTIVISTS ON COMMUNIST CHARGES WITHOUT ADEQUATE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BANGKO 13532 121212Z

PROFF, AND THEN DETAIN THEM INDEFINITELY WHILE FURTHER

INVESTIGATIONS ARE MADE. UTHAI HIMSELF WAS ARRESTED IN 1972 WITH TWO OTHER PEOPLE ON SIMILAR CHARGES AND SENTENCED WITHOUT TRIAL TO 10 YEARS IN PRISON AFTER HE FILED A SUIT IN COURT AGAINST THE THEN MILITARY GOVERNMENT FOR ILLEGALLY ABROGATING THE CONSTITUTION. HE WAS RELEASED 22 MONTHS LATER FOLLOWING THE OCTOBER, 1973, UPRISING.

3. ON MAY 11 PRIME MINISTER SENI PRAMOT CALLED IN DIRECTOR GENERAL OF POLICE GEN. SISUK MAHINTHRATHEP, AND REPORTEDLY WARNED HIM THAT POLICE SHOULD NOT ARREST PEOPLE ON COMMUNIST CHARGES WITHOUT FIRST HAVING CONCRETE EVIDENCE. HE ALSO INSTRUCTED THE POLICE TO SPEED UP INVESTIGATIONS OF THOSE ALREADY ARRESTED. ACCORDING TO THE BANGKOK POST OF MAY 12, SENI WAS PARTICULARLY CONCERNED WITH PROVISIONS IN THE ANTI-COMMUNIST LAWS WHICH ALLOW UNLIMITED DETENTION OF SUSPECTS WHILE CASES ARE BEING INVESTIGATED. THE DEMOCRAT PARTY PROPOSED REVISING THE ANTI-COMMUNIST LAW DURING THE PERIOD OF THE KHUKRIT GOVERNMENT BY MAKING IT MORE SPECIFIC. ALTHOUGH OPPOSED IN THIS PROJECT BY THE THAI NATION PARTY (NOW A COALITION PARTNER), THE DEMOCRATS WILL PROBABLY ATTEMPT TO REVISE THE ANTI-COMMUNIST LAW IN THIS PARLIAMENT.

4. INTEREST IN THE PREVIOUS ARRESTS (REFTEL) WAS REVIVED BY THE ARREST ON MAY 9 OF FIVE STUDENTS AND ONE OTHER MAN IN CHIANG MAI ON CHARGES OF ILLEGAL POSSESSION OF FIREARMS AND AMMUNITION. THEY WERE REPORTED (INACCURATELY) AS HAVEING BEEN CHARGED UNDER THE ANTI-COMMUNIST LAWS. IN A RAID ON A HOUSE IN CHIANG MAI CITY, POLICE ALSO FOUND FATIGUE UNIFORMS, FLAK JACKETS, AND LARGE QUANTITIES OF COMMUNIST LITERATURE. STUDENT LEADERS IN CHIANG MAI AND BANGKOK CLAIMED THAT THE LITERATURE IS WIDELY AVAILABLE AND NOT ILLEGAL, BUT AMCONSUL CHIANG MAI REPORTS THAT POLICE IN CHIANG MAI SAID THAT MOST OF IT IS IN FACT ILLEGAL COMMUNIST PUBLICATIONS PRINTED WITHOUT THE PUBLISHER'S NAME AND ADDRESS AS REQUIRED BY LAW, AND THAT IT IS NOT WIDELY AVAILBABLE ANYWHERE. HOWEVER, POLICE HAVE NOT PREFERRED

CONFIDENTIAL

PAGE 03 BANGKO 13532 121212Z

CHARGES UNDER THE ANTI-COMMUNIST LAWS, AND ARE INSTEAD AWAITING A DECISION ON THIS FROM BANGKOK POLICE AUTHORITIES.

5. IT DOES, IN FACT, APPEAR THAT AT LEAST SOME OF THOSE ARRESTED IN THE VARIOUS CASES NOW UNDER INVESTIGATION HAVE CONNECTIONS WITH THE COMMUNIST PARTY OF THAILAND. WHAT IS AT ISSUE, HOWEVER, IS THE LEGAL LIMITS OF POLICE

AUTHORITY, AND THE CONFLICT BETWEEN LEGAL RIGHTS UNDER
THE THAI CONSTITUTION AND RESTRICTIONS IMPOSED BY THE
WORDING OF THE CURRENT ANTI-COMMUNIST LAW WHICH PRE-DATES
THE CURRENT CONSTITUTION. WHILE LEFTIST ACTIVIST
SUPPORTERS OF THOSE ARRESTED HAVE DONE LITTLE MORE THAN
PRESENT VERBAL PROTESTS TO THE GOVERNMENT, AND INDICATE
WITTLE WILLINGNESS AT THIS TIME TO RISK ANY OPEN CON-
FRONTATION WITH THE GOVERNMENT, ANY REAL PRESSURE FOR
CHANGE SEEMS TO BE COMING FROM MODERATE POLITICAL
FIGURES AND ESPECIALLY THE DEMOCRAT PARTY ITSELF.
WHITEHOUSE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GOVERNMENT REACTIONS, ARRESTS, COMMUNISTS
Control Number: n/a
Copy: SINGLE
Draft Date: 12 MAY 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ullricre
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BANGKO13532
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760183-1050
From: BANGKOK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760565/aaaacdgi.tel
Line Count: 126
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 BANGKOK 7270, 76 BANGKOK 8237
Review Action: RELEASED, APPROVED
Review Authority: ullricre
Review Comment: n/a
Review Content Flags:
Review Date: 02 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 JUN 2004 by BoyleJA>; APPROVED <29 SEP 2004 by ullricre>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GOVERNMENT REACTIONS TO RECENT ARRESTS OF ACTIVISTS
TAGS: PGOV, PINT, TH
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006